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See *Duke of Somerset v. Fogwell*, 5 B. & C. 875; 2 BL. COMM. 39. Cf. *Rogers v. Jones*, 1 Wend. (N. Y.) 238. This privilege is held by the sovereign for the benefit of all his subjects, and *prima facie* any one may fish in public waters. *Carter v. Murcot*, 4 Burr. 2162; *Polhemus v. Bateman*, 60 N. J. L. 163. But at an early date the legislature granted exclusive rights to individuals, or permitted towns to exclude non-residents. BODY OF LIBERTIES, ART. 16, 28 Mass. Hist. Soc. Coll. 219; *Trustees of Brookhaven v. Strong*, 60 N. Y. 56. Where the grant is absolute or for a definite time, it is in the nature of a vested property right which cannot be disturbed during its term, and it is not a violation of the Fourteenth Amendment. *Lowndes v. Huntington*, 153 U. S. 1; *Hand v. Newton*, 92 N. Y. 88. As in the case of public lands, the state may grant to individuals rights in the public property. But if it gives only a revocable license, the state is merely tolerating a use of its property, — granting a privilege rather than a property right. *Slingerland v. International Contracting Co.*, 43 N. Y. App. Div. 215. Since the state holds the property for the benefit of all its citizens, it should not be allowed to restrict such a privilege to a few. Cf. *Harper v. Gal-lowsay*, 51 So. 226 (Fla.). *Contra*, *Commonwealth v. Hilton*, 174 Mass. 29. It could, of course, limit the privilege to citizens of the State. *Corfield v. Coryell*, 4 Wash. C. C. 371.

CORPORATIONS — FOREIGN CORPORATIONS — JURISDICTION OVER INTERNAL AFFAIRS. — A stockholder of a foreign corporation brought *mandamus* to compel the secretary and directors to hold a stockholder's meeting pursuant to the by-laws. The corporation had its principal office in the state, and the secretary and directors were resident there. *Held*, that the court has no jurisdiction over the corporation for this purpose. *State ex rel. Ferenez v. Unida Gold Mining Co.*, 32 Oh. Cir. Ct. R. 54.

As the corporation is a necessary party in an action by a stockholder to redress a grievance in the corporate management, such a proceeding is impossible unless service can be had upon the corporation. *Wilkins v. Thorne*, 60 Md. 253. And statutes requiring foreign corporations doing business in the state to maintain an agent therein on whom process may be served are construed by some courts as not giving jurisdiction over the internal affairs of such a corporation. *Sidway v. Missouri Land & Livestock Co.*, 101 Fed. 481. Usually, however, the courts recognize that they have jurisdiction, but decline to exercise it where so doing would involve, as here, ordering or restraining an act in a foreign jurisdiction, on the ground of inability to compel obedience and on the ground that the state of incorporation is the best judge of its own law governing such matters. *Kimball v. St. Louis & San Francisco Ry. Co.*, 157 Mass. 7. But when the transaction occurs in the state of the *forum* the latter reason has not always deterred the courts from granting relief. Thus they will compel the corporation to allow a stockholder access to its books when they are in the custody of an officer in the state. *State ex rel. Richardson v. Swift*, 7 Houst. (Del.) 137. And they will enjoin the carrying on of an *ultra vires* undertaking within the state when all the property and the directors are within the state. *Richardson v. Clinton Wall Trunk Mfg. Co.*, 181 Mass. 580.

COSTS — LIABILITY OF INFANT TO INDEMNIFY NEXT FRIEND. — The plaintiff as next friend of the defendant, an infant, properly instituted and conducted an action in the interest of the defendant, which was dismissed, with costs to be paid by the next friend. The plaintiff brought an action to recover those costs from the infant. *Held*, that the plaintiff can recover. *Steeden v. Walden*, [1910] 2 Ch. 393.

Apart from statute the weight of authority in England and this country seems to be that the next friend is liable for costs in the first instance. *Swain v. Follows*, 18 Q. B. D. 585; *Smith v. Gaffard*, 33 Ala. 168. However, a very respect-